

because corporations wanted them. To the contrary. They arose because concerned citizens demanded change to prevent companies from abusing workers, from polluting our air and from dumping waste into our waters.

Through free speech and the democratic process, the U.S. developed laws to protect workers and the environment. But many in the developing world do not have these privileges. In the developing world, decisions are typically made by three groups: government leaders, usually not elected; factory owners, who are often one of the same with government leaders; and Western companies.

Would authoritarian government leaders be in favor of cleaning up the environment or expanding worker rights? I do not think so. Would local factory owners be in favor of tougher greenhouse gas emission standards? I do not think so. Would Western corporations be in favor of rules to reduce the dumping of toxic chemicals? I do not think so.

How can the free trade lobby assume that labor and environmental standards will expand in the developing world when those who can improve the situation are the ones who profit from its abuse? Changes will only occur if there is an incentive to change, and the trend in corporate globalization, these trade agreements, provides very few incentives to do the right thing.

If we fail to include these important provisions in trade agreements, multinational corporations will continue to see these improvements as an unnecessary expense. We cannot allow the administration to push forward on these trade agreements, such as NAFTA, that value foreign investment more than they value the American worker. We cannot give corporations the green light to disregard human rights, to disregard labor standards, to disregard environmental laws. We cannot reward nations for abusing the ideals and the values that we in this country hold dear.

The greatest abuse of our principles is not really what is being left out but what has been put in these trade agreements: something called the investor-to-state relationship establishing chapter 11 of NAFTA. Through chapter 11, private corporations, for the first time ever, can sue a foreign government and overturn health and safety laws passed by a democracy.

Now, U.S. Trade Representative Bob Zoellick has committed to including that same chapter 11 in Fast Track. Not only can laws be overturned, but taxpayers in that nation are also liable for damages if a NAFTA tribunal rules a law or regulation causes an unfair barrier to trade. Understand this point: corporate trade lawyers can effectively repeal a nation's public health or an environmental law that was enacted through a democratic process behind closed doors.

Corporations have been quick to capitalize on chapter 11. We have seen it in Canada, we have seen it in the United States, we have seen it with Mexican, American and Canadian corporations. As power shifts from democratically elected governments to corporations, many more corporations will attempt to strike down environmental laws, to weaken food safety laws, to eliminate consumer-protection statutes.

Chapter 11's provisions suggest that when one country's public health laws collide with a foreign corporation's profits, then public health usually loses, time after time after time. Every single time in the World Trade Organization and almost every single time under NAFTA.

Americans need to know whether the Bush administration believes that corporations deserve to trample on laws that protect our health and protect our environment. Congress should not allow chapter 11 to be incorporated into Fast Track. We need to protect the laws that we in this democratic body, and State legislatures in their democratic bodies, and city councils in their democratic bodies have created.

More and more Members of Congress are joining the ranks calling for trade agreements that are not rammed down the public's throats and that in fact respond to true social and economic ramifications across the globe. We need to press for U.S. trade policy with provisions that do, indeed, protect the environment, not weaken environment and public health laws. We need to press for provisions that promote the advancement of stronger environmental standards. We need to press for provisions that can be effectively enforced. Fast Track, Mr. Speaker, is not the answer.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 55 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1636

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHUSTER) at 4 o'clock and 36 minutes p.m.

#### PROFILING AND MISSILE DEFENSE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, I wanted to take a little time this afternoon and

have an in-depth discussion on a couple of different issues that I think are very important with the current matters that we have facing us. The first matter I would like to discuss at some length would be profiling and the need for profiling for the national security of this country. I have some experience in security. I used to be a police officer. I have a pretty good idea of what we need to do to look out for suspects and how we can help and assist all citizens of this country, regardless of their background, in being sure that they are secure and safe as they walk the streets of this country, or as they go up into a building.

The second thing I want to discuss at length this afternoon is missile defense. It is absolutely critical at this juncture in our Nation's history that we prepare, that we prepare a missile defense system for this Nation. Anything that falls short of a complete missile defense system for this Nation, in my opinion, would demonstrate dereliction of the duties that we have, the responsibilities that we accepted when we were sworn in to represent the people of this Nation.

Let me start with profiling. I have seen, and I have been very disappointed and discouraged recently, about some people playing what I would call the race card against profiling. We have to talk in a very serious tone and with thoughts of the consequences of doing things and not doing things, about tools of enforcement that we can utilize within the borders of our country and outside the borders of our country and for the people that want to cross the borders of our country and for the people that want to leave the borders of our country, tools that we can use to help secure the national security. One of those tools is profiling.

Now, let me distinguish at the very beginning the difference between what I describe and what I define as racial profiling, which most people in this country, including myself, are justified in opposing, and utilizing race as one of the components of a threat profile. We will see on this chart to my left, again, how do I define racial profiling. My colleagues will see I have obviously a red circle through racial profiling.

Racial profiling is where that is the only determinant factor that one utilizes in one's profile construction. Now, obviously, if race is one's only determinant factor, the only factor considered, it raises a balloon for a very legitimate argument that one is creating or causing discrimination.

Now, there are some cases where one may not have any other factors other than the person's ethnic background; and in that case, for example, one puts out a description only using the ethnic background because that is all the information one has. Let me give an example. One is called to the scene of a bank robbery and the witnesses at the